

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

COMMUNITY VOCATIONAL SCHOOLS )  
OF PITTSBURGH, INC., a corporation, )  
individually and as the representative of a )  
class of similarly-situated persons, )

Plaintiff, )

v. )

MILDON BUS LINES, INC., a )  
Pennsylvania corporation, )

Defendant. )

No. 09-cv-01572-JFC

Judge Joy Flowers Conti

**PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION  
SETTLEMENT AND NOTICE TO THE CLASS**

NOW COMES Plaintiff, by and through its undersigned attorneys, and, pursuant to Fed. R. Civ. P. 23(e), requests that this Court issue an order preliminarily approving the parties' settlement. Plaintiff submits a brief in support of its motion. The settlement agreement is Exhibit A to the brief. As more fully discussed in the brief, the class settlement was reached with the assistance of mediator Penny Ellison of the Third Circuit Court of Appeals following this Court's grant of summary judgment in favor of Defendant and Plaintiff's appeal. Given the stage of the litigation, the chance of success on the merits for Plaintiff and the Class, and Defendant's ability to pay—including attendant insurance coverage issues—the settlement is an excellent result for the Class.

Respectfully submitted,  
COMMUNITY VOCATIONAL  
SCHOOLS OF PITTSBURGH, INC.,  
individually and as the representative  
of a class of similarly-situated persons

By: /s/ Tod A. Lewis

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